

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MELISSA TAYLOR,)	
)	
Plaintiff,)	
)	Case No.: 4:22-cv-00976
v.)	
)	JURY TRIAL DEMANDED
WAL-MART STORES EAST I, LP, d/b/a)	
WAL-MART #65,)	Removed from Circuit Court of
)	Franklin County, Missouri
Defendant.)	

NOTICE OF REMOVAL

COMES NOW the Defendant, WAL-MART STORES EAST I, LP, d/b/a WAL-MART #65, by and through its attorneys, BETH C. BOGGS and BOGGS, AVELLINO, LACH & BOGGS, L.L.C., pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446, and for its Notice of Removal, states to the Court as follows:

1. This action entitled Melissa Taylor v. Wal-Mart Stores East I, LP, d/b/a Wal-Mart #65, was commenced in the Circuit Court of Franklin County on July 25, 2022.
2. The attached Petition was served upon Defendant on August 18, 2022.
3. Plaintiff is a citizen of the State of Missouri.
4. Defendant, Wal-Mart Stores East I, LP, d/b/a Wal-Mart #65, is a Delaware limited partnership, having its principal place of business in the State of Arkansas. The members of the limited partnership are citizens of the State of Arkansas. Thus, for purposes of diversity, Defendant, is a citizen of the States of Delaware and Arkansas.
5. Defendant asserts that complete diversity exists, as Defendant is a citizen of the States of Delaware and Arkansas for purposes of federal jurisdiction. See 28 U.S.C. §

1332(c)(1).

6. This is an action over which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332, in that the matter in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.00 and is between citizens of different states. The Plaintiff claims a shoulder injury from a falling item. Specifically, Plaintiff's Petition seeks damages for physical, mental, and emotional pain and suffering, and loss of enjoyment of life.

7. Plaintiff's counsel has made a demand of \$1,000,000.00 to settle this matter.

8. Copies of all processes, pleadings, orders, records, and proceedings in Franklin County are attached to this Notice of Removal.

9. Defendant has filed this Notice of Removal within 30 days after the service of the Petition from which it was ascertained that this case was removable.

WHEREFORE, Defendant, Wal-Mart Stores East I, LP, d/b/a WalMart #65, respectfully request that this Court acknowledge jurisdiction over this action and allow removal thereto to this Court for determination of all issues involved herein.

DEFENDANT DEMANDS TRIAL BY JURY

Respectfully submitted,

WAL-MART STORES EAST I, LP,
d/b/a WAL-MART #65

By: /s/ Beth C. Boggs
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was electronically filed with the Clerk of the United States District Court, Eastern District of Missouri, by using the Court's CM/ECF Electronic Filing System this 19th day of September, 2022, with an electronic copy to be served electronically upon the following:

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